



**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
678-375

First named inventor: Dong-Jin LEE et al.

Application No.: 09/457,817

Art Unit: 2684

Filed: December 9, 1999

Examiner: Khawar IQBAL

Title: **DEVICE AND METHOD FOR
CONTROLLING RADIO MOBILE
TERMINAL CONNECTED TO HANDS-FREE
KIT**

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

Refund Ref:
09/15/2008 0030061169

Credit Card Refund Total: \$1540.00

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.

Am Exp.: XXXXXXXXXXXX1011

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,540.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of _____ (identify type of reply):

☐ has been filed previously on _____
☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,440.00 Adjustment date: 09/15/2008 CKHLOK
08/28/2008 INTEFSW 00001290 09457817

☐ has been paid previously on _____ 02 FC:1453
☒ is enclosed herewith.

-1540.00 OP

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

08/28/2008 INTEFSW 00001290 09457817

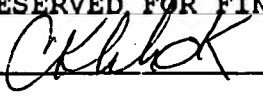
01 FC:1201

040.00 OP

02 FC:1453

1540.00 OP

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: 09/04/08		2 Serial/Patent # 09/457,817		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/>	Filing			\$
<input type="checkbox"/>	Amendment			\$
<input type="checkbox"/>	Extension of Time			\$
<input type="checkbox"/>	Notice of Appeal/Appeal			\$
<input checked="" type="checkbox"/>	Petition	9	08/27/08	\$ 1,540.00
<input type="checkbox"/>	Issue			\$
<input type="checkbox"/>	Cert of Correction/Terminal Disc.			\$
<input type="checkbox"/>	Maintenance			\$
<input type="checkbox"/>	Assignment			\$
<input type="checkbox"/>	Other			\$
		7 TOTAL AMOUNT OF REFUND		\$ 1,540.00
		8 TO BE REFUNDED BY:		
		<input checked="" type="checkbox"/>	Treasury Check	
		<input type="checkbox"/>	Credit Deposit A/C #:	
		9	<div style="border: 1px solid black; display: inline-block; padding: 2px;"> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 20px;"></div> </div>	
10 REASON:				
<input type="checkbox"/>	Overpayment			
<input type="checkbox"/>	Duplicate Payment			
<input checked="" type="checkbox"/>	No Fee Due (Explanation):			
Abandonment withdrawn, no fee required.				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: Diane Goodwyn		TITLE: Paralegal		
SIGNATURE: /dgoodwyn/		PHONE: 571-272-6735		
OFFICE: Petitions				
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****				
APPROVED: 		DATE: 9/15/08		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dong-Jin LEE et al.

Docket: 678-375

Serial No.: 09/457,817

Dated: August 27, 2008

Filed: December 9, 1999

For: **DEVICE AND METHOD FOR CONTROLLING RADIO MOBILE
TERMINAL CONNECTED TO HANDS-FREE KIT**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT ESTABLISHING UNINTENTIONAL DELAY
IN SUPPORT OF PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

Dear Sir:

Applicant respectfully requests that the above-identified application be revived as a pending application, and hereby petitions that the abandonment set forth in the Notice of Abandonment mailed May 13, 2002 be withdrawn.

In support of the attached Petition for Revival, Applicant provides the following statements to establish an unintentional delay in filing this Petition:

A first action Notice of Allowance was apparently mailed by the USPTO on January 3, 2002. Applicant did not receive this Notice of Allowance. The undersigned confirms that a search of the file jacket and docket records indicates that the Office Action was not received. Applicant obtained a copy of the file history which reveals that the USPTO improperly addressed the Notice of Allowance to Markison & Reckamp, PC. A copy of the Notice of Allowance is attached as Exhibit A.

Applicant did not receive the Notice of Abandonment mailed on May 13, 2002. A review of the file history reveals that the USPTO again improperly addressed the Notice of Abandonment to Markison & Reckamp, PC. A copy of the Notice of Abandonment is attached as Exhibit B.

08/28/2008 INTEFSW 00001290 09457817

01 FC:1201

~~840.00~~ UP

02 FC:1453

1540.00 OP

03 FC:1455

200.00 OP

04 FC:1456

400.00 OP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dong-Jin LEE et al.

Docket: 678-375

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Applicant did not receive the Notice of Abandonment mailed on May 13, 2002. A review of the file history reveals that the USPTO again improperly addressed the Notice of Abandonment to Markison & Reckamp, PC. A copy of the Notice of Abandonment is attached as Exhibit B.

On May 23, 2002, Christopher J. Reckamp, Esq. wrote to Mr. Tom Hawkins of the USPTO to notify him that Markison & Reckamp, PC received the Notice of Abandonment in error and that Markison & Reckamp, PC was not prosecuting this application. A copy of the May 23, 2002 letter is attached as Exhibit C.

Upon receipt of the returned Notice of Abandonment, Mr. Hawkins should have checked the application file record to ensure that the Office action was mailed to the correct correspondence address. If the Office action was not mailed to the correct correspondence address, it should have been stamped "remailed" with the remailing date and mailed to the correct correspondence address. The period running against the application should have begun with the date of remailing.

There is no indication in the record that the USPTO made any effort to remail the Office Action to the correct mailing address, even upon notification that the correspondence address was incorrect.

In the past, it has not been uncommon for applications in this technological field not to receive a first action from the USPTO for 4-6 years. Listed below are eight (8) currently pending applications owned by the same assignee. Each of these cases has not yet been examined by the USPTO, and the USPTO predicts, emphasis added, that these applications will receive an Office within 4-7 years from the date of filing.

U.S. Patent Appln. Number	Filing Date	USPTO - First Action Prediction
10/231,616	August 30, 2002	6 years, 3 months
10/369,830	February 19, 2003	5 years, 9 months
10/386,987	March 12, 2003	5 years, 8 months
10/732,107	December 10, 2003	4 years, 11 months
10/918,922	August 16, 2004	4 years, 3 months
10/937,244	September 9, 2004	4 years, 3 months
10/956,926	October 1, 2004	4 years, 2 months
10/958,799	October 5, 2004	4 years, 2 months

Applicant filed a Letter of Status Inquiry on June 27, 2006. No response was received from the USPTO. A copy of this Letter of Status of Inquiry is attached as Exhibit D.

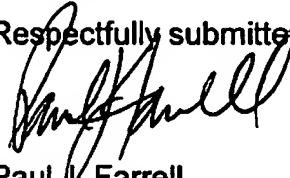
Prior to the filing a second Letter of Status Inquiry, Applicant's representative conducted a search of Private PAIR to determine the present status of this case. The search results indicated "there was no data available for this application". Accordingly, Applicant filed a second Letter of Status Inquiry on August 30, 2007. No response was received from the USPTO. A copy of this Letter of Status of Inquiry is attached as Exhibit E.

During June of 2008, while checking the status of numerous commonly owned applications, Applicant's representative again conducted a search of Private PAIR. This time, information was available pertaining to this case. The case was listed as abandoned for failure to pay the Issue Fee.

As the record makes clear, the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition was unintentional.

Since Applicant did not receive the Notice of Allowance or the Notice of Abandonment, and the USPTO records confirm that Applicant did not receive the Notice of Allowance or the Notice of Abandonment, it is believed that the Notice of Abandonment was improperly issued and should be withdrawn. It is respectfully requested that the application be revived as a pending application.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Application

THE FARRELL LAW FIRM, P.C.
333 Earle Ovington Boulevard, Suite 701
Uniondale, NY 11553
(516) 228-3565

EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20531
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

000024228 7590 01/03/2002
MARKISON & RECKAMP, PC
PO BOX 06229
WACKER DR
CHICAGO, IL 60606-0229

EXAMINER

IQBAL, KHAWAR

ART UNIT

CLASS-SUBCLASS

2584

455-569000

DATE MAILED: 01/03/2002

APPLICATION NO.	FILNO DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/457,817	12/09/1999	DONG-JIN LEE	678-375-P86	8101

TITLE OF INVENTION: DEVICE AND METHOD FOR CONTROLLING RADIO MOBILE TERMINAL CONNECTED TO HANDS-FREE KIT

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
5	nonprovisional	NO	\$1280	\$0	\$1280	04/03/2002

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and mail this form, together with applicable fee(s), to:

Box ISSUE FEE
Assistant Commissioner for Patents
Washington, D.C. 20231

MAILING INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Please Legibly mark-up with any corrections or use Block 1)

000024228 7590 01/03/2002

MARKISON & RECKAMP, PC
PO BOX 06229
WACKER DR
CHICAGO, IL 60606-0229

Note: The certificate of mailing below can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

Certificate of Mailing

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/457,817	12/09/1999	DONG-JIN LEE	678-375-(P26	8101

TITLE OF INVENTION: DEVICE AND METHOD FOR CONTROLLING RADIO MOBILE TERMINAL CONNECTED TO HANDS-FREE KIT

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
5	nonprovisional	NO	\$1280	\$0	\$1280	04/03/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
IQBAL, KHAWAR	2684	455-569000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1	_____
2	_____
3	_____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☐ Issue Fee

☐ Publication Fee

☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, United States Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington, D.C. 20231

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (REV. 07-01) Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20531
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/457,817	12/09/1999	DONG-JIN LEE	678-375-(P86	8101
000024228	7590	01/03/2002	EXAMINER	
MARKISON & RECKAMP, PC PO BOX 06229 WACKER DR CHICAGO, IL 60606-0229 UNITED STATES			IQBAL, KHAWAR	
			ART UNIT	PAPER NUMBER
			2684	
DATE MAILED: 01/03/2002				

Determination of Patent Term Extension under 35 U.S.C. 154 (b)
(application filed after June 7, 1995 but prior to May 29, 2000)

The patent term extension is 0 days. Any patent to issue from the above identified application will include an indication of the 0 day extension on the front page.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (<http://pair.uspto.gov>)

Notice of Allowability

Application No.

09/457,817

Examiner

Khawar Iqbal

Applicant(s)

LEE ET AL

Art Unit

2684

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address-
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☐ The drawings filed on ____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE 'MAILING DATE' of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-848) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. ____.
 - (b) ☐ including changes required by the proposed drawing correction filed ____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-848) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. ____. |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. ____. | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Allowable Subject Matter

2. Claims 1, 2 and 4 are allowed.
3. The following is an examiner's statement of reasons for allowance: the claim subject matter in claim 1 is allowable because the arts of record fail to teach a circuit in said radio mobile terminal comprising a power control signal generator for generating a power control signal to supply power to said radio mobile terminal, a signal output terminal connected to said power control signal generator, for generating a driving signal to enable said power control signal generator, and a signal input terminal connected to a power key of said radio mobile terminal, for receiving a power-on signal; and a circuit in said hands-free kit comprising a power-on signal generator connected between said power key and said signal input terminal, for generating said power-on signal, a signal detector connected between said signal output terminal and said power control signal generator, for detecting said driving signal generated by said signal output terminal, and a controller for controlling said power-on signal generator to generate said power-on signal depending on whether said driving signal generated by said signal output terminal is detected through said signal detector.

Application/Control Number: 09/457,817
Art Unit: 2684

Page 3

4. Claims 2 and 4 are allowable for the same reason.
5. Any comments considered necessary by applicant must be submitted no later than the payment the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure Charron (# 6314307), Chen (# 6173195), Chiang (5864766), Griffin (5898908), Henriksson (5812954), Hong (5802167) and Marui (# 5367556), teach routing method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DANIEL HUNTER, can be reached at 703-308-6732.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2684 only)

Application/Control Number: 09/457,817
Art Unit: 2684

Page 4

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service
Office whose telephone number is (703) 306-0377.

Khawar Iqbal



Notice of References Cited	Application/Control No. 08/457,817	Applicant(s)/Patent Under Reexamination LEE ET AL	
	Examiner Khawar Iqbal	Art Unit 2884	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6314307	11-2001	Charron	455/573
	B	US-6173185	01-2001	Chen	455/587
	C	US-5864766	01-1999	Chiang	455/572
	D	US-5888908	04-1999	Griffin	455/127
	E	US-5812954	09-1998	Henriksson	455/550
	F	US-5802167	08-1998	Hong	379/388
	G	US-5367558	11-1994	Marul	379/58
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Data, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(p).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

09/457817

NOTICE OF DRAFTSPERSON'S
PATENT DRAWING REVIEWThe drawing(s) filed (insert date) 12-9-99 are:A. ☒ approved by the Draftsperson under 37 CFR 1.84 or 1.152.B. ☐ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawing must be submitted according to the instructions on the back of this notice.

<p>1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink. Color. Color drawings are not acceptable until petition is granted. Fig(s) _____ Pencil and non black ink not permitted. Fig(s) _____</p> <p>2. PHOTOGRAPHS. 37 CFR 1.84(b) 1 full-tone set is required. Fig(s) _____ Photographs may not be mounted. 37 CFR 1.84(e) Poor quality (half-tone). Fig(s) _____</p> <p>3. TYPE OF PAPER. 37 CFR 1.84(c) Paper not flexible, strong, white, and durable. Fig(s) _____ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____ Mylar, vellum paper is not acceptable (too thin). Fig(s) _____</p> <p>4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes: 21.0 cm by 29.7 cm (DIN size A4) 21.6 cm by 27.9 cm (8 1/2 x 11 inches) All drawing sheets not the same size. Sheet(s) _____ Drawings sheets not an acceptable size. Fig(s) _____</p> <p>5. MARGINS. 37 CFR 1.84(g): Acceptable margins: Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm SIZE: A4 Size Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm SIZE: 8 1/2 x 11. Margins not acceptable. Fig(s) _____ Top (T) _____ Left (L) _____ Right (R) _____ Bottom (B) _____</p> <p>6. VIEWS. 37 CFR 1.84(h) REMINDER: Specification may require revision to correspond to drawing changes. Partial views. 37 CFR 1.84(b)(2) Brackets needed to show figure as one entity. Fig(s) _____ Views not labeled separately or properly. Fig(s) _____ Enlarged view not labeled separately or properly. Fig(s) _____</p> <p>7. SECTIONAL VIEWS. 37 CFR 1.84 (b)(3) Hatching not indicated for sectional portions of an object. Fig(s) _____ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____</p>	<p>8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i) Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____</p> <p>9. SCALE. 37 CFR 1.84(k) Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____</p> <p>10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(j) Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) _____</p> <p>11. SHADING. 37 CFR 1.84(m) Solid black areas pale. Fig(s) _____ Solid black shading not permitted. Fig(s) _____ Shade lines, pale, rough and blurred. Fig(s) _____</p> <p>12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p) Numbers and reference characters not plain and legible. Fig(s) _____ Figure legends are poor. Fig(s) _____ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____ Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3) Fig(s) _____</p> <p>13. LEAD LINES. 37 CFR 1.84(q) Lead lines cross each other. Fig(s) _____ Lead lines missing. Fig(s) _____</p> <p>14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(r) Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Sheet(s) _____</p> <p>15. NUMBERING OF VIEWS. 37 CFR 1.84(u) Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____</p> <p>16. CORRECTIONS. 37 CFR 1.84(w) Corrections not made from prior PTO-948 dated _____</p> <p>17. DESIGN DRAWINGS. 37 CFR 1.152 Surface shading shown not appropriate. Fig(s) _____ Solid black shading not used for color contrast. Fig(s) _____</p>
<p>COMMENTS</p>	

REVIEWER

DATE

12-12-01

TELEPHONE NO.

ATTACHMENT TO PAPER NO.

EXHIBIT B



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/457,817	12/09/1999	DONG-JIN LEE	678-375-0786	8101

2422 7990 05/11/2002
MARKISON & RECKAMP, PC
PO BOX 06229
WACKER DR
CHICAGO, IL 60606-0229

EXAMINER

IQBAL, KHAWAR

ART UNIT

PAPER NUMBER

2585

P# 6

DATE MAILED: 05/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/457,817

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

PHL6

DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
- ☐ A reply (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
- ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- ☐ No reply has been received.
- ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance.
 - ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d), is \$ _____.
 - ☒ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file new formal drawings as required by, and within the three-month period set in, the Notice of Allowability (PTOL-37).
 - ☐ Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - ☐ The proposed new formal drawings filed on _____ are not acceptable and the period for reply has expired.
 - ☐ No proposed new formal drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

ABANDONMENT
CONTACT PERSON IS:
TOM HAWKINS
305-8380

EXHIBIT C

05/23/2002 10:29 FAX 312 808 8008

VEDDER PRICE KAUFMAN

0001

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VEDDER, PRICE, KAUFMAN & KAMMHOFF
222 NORTH LAKEVIEW STREET
CHICAGO, ILLINOIS 60601
312-808-7599
FACSIMILE: 312-808-8008

7/8/02
6/10/02

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WITH OFFICES IN CHICAGO, NEW YORK CITY AND LIVINGSTON, NEW JERSEY

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Fax Operator:

Please deliver the following page(s) to:

Page 1

Name: TOM HAWKINS
PATENT AND TRADEMARK
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CHRISTOPHER J. RECKAMP,
From: ESQ.
Date: May 23, 2002
Client No.: 00100.01.0001

Fax No.: 703-305-8755
Confirmation No.: 703-305-8380
Sender's Ext.: 7599
Total Pages: 3
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Special instructions to receiving operator:

2802 MAY 23 0410-33

Message:

Mr. Hawkins:

The attached Notice of Abandonment appears to have been sent to our law firm in error. Markison & Reckamp, P.C. is not prosecuting this application and this inventor and attorney docket number are not in our docketing system. If after examination of the file it appears that the attorney of record is Markison & Reckamp, P.C., please contact me at the above number to clarify the issue. :



Respectfully Submitted,
Christopher J. Reckamp, Reg. No. 34,414

EXHIBIT D

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dong-Jin LEE et al.

Docket: 678-375

Serial No.: 09/457,817

Dated: June 27, 2006

Filed: December 9, 1999

For: DEVICE AND METHOD FOR CONTROLLING
RADIO MOBILE TERMINAL CONNECTED TO HANDS-FREE KIT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER OF STATUS INQUIRY

Sir:

To date, no communications have been received by Applicants in connection with the above-identified application. Applicants respectfully request advice as to when Applicants can expect to receive a first communication in this matter.

Respectfully submitted,



Paul J. Farrell
Registration No. 33,494
Attorney for Applicants

DILWORTH & BARRESE, LLP
333 Earle Ovington Boulevard
Uniondale, New York 11553
Tel.: (516) 228-8484
Fax: (516) 228-8516

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 27, 2006.

Dated: June 27, 2006


Paul J. Farrell

EXHIBIT E

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	LEE, Dong-Jin et al.	Group Art Unit: 2684
Serial No.:	09/457,817	Examiner: Not Yet Assigned
Filed:	December 9, 1999	Dated: August 30, 2007
For:	DEVICE AND METHOD FOR CONTROLLING RADIO MOBILE TERMINAL CONNECTED TO HANDS-FREE KIT	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER OF STATUS INQUIRY

Sir:

To date, no communications have been received by Applicant in connection with the above-identified application. Applicant respectfully requests advice as to when Applicant can expect to receive a first communication in this matter.

Respectfully submitted,



Paul J. Farrell
Registration No. 33,494
Attorney for Applicant

THE FARRELL LAW FIRM
333 Earle Ovington Boulevard, Suite 701
Uniondale, New York 11553
Tel.: (516) 228-3565
Fax: (516) 228-8475

**REVOCATION OF POWER OF
ATTORNEY WITH
NEW POWER OF ATTORNEY
AND
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number 09/457,817
Filing Date
First Named Inventor
An Unit
Examiner Name
Attorney Docket Number 678-375

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number

66547

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with
Customer Number:

66547

OR

☐ Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☐ Applicant/Inventor

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)

SIGNATURE of Applicant or Assignee of Record

Signature

Name

Jiang Yang Yu, President of Samsung Electronics Co., Ltd.

Date

16. Nov. 2006

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

☐ Total of _____ forms are submitted

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to fee (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including searching, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-3177 and select option 2



Fee History Query

Revenue Accounting and Management

Name/Number: 09457817

Total Records Found: 10

Start Date: Any Date

End Date: Any Date

Accounting Date	Sequence Num.	Fee Type	Fee Code	Fee Amount	Mailroom Date	Payment Method
08/28/2008	00000001	<u>1</u>	<u>1501</u>	\$1,440.00	08/27/2008	DA 504053
08/28/2008	00000002	<u>1</u>	<u>1504</u>	\$300.00	08/27/2008	DA 504053
08/28/2008	00002173	<u>4</u>	<u>1453</u>	\$1,540.00	08/27/2008	CC
08/28/2008	00002172	<u>4</u>	<u>1201</u>	\$840.00	08/27/2008	CC
08/28/2008	00002174	<u>4</u>	<u>1455</u>	\$200.00	08/27/2008	CC
08/28/2008	00002176	<u>4</u>	<u>8001</u>	\$30.00	08/27/2008	CC
08/28/2008	00002175	<u>4</u>	<u>1456</u>	\$400.00	08/27/2008	CC
08/15/2000	00000086	<u>1</u>	<u>581</u>	\$40.00	07/06/2000	DA 191038
12/28/1999	00000129	<u>1</u>	<u>581</u>	\$40.00	12/09/1999	CK
12/23/1999	00000066	<u>1</u>	<u>101</u>	\$760.00	12/09/1999	CK